

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

WINDSTREAM HOLDINGS, INC., *et al.*,

Debtors.

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ROBERT MURRAY,

Appellant,

- against -

WINDSTREAM HOLDINGS, INC., *et al.*,

Appellees.

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Seibel, J.

Appellant filed a notice of appeal in this case on July 19, 2019. (Doc. 1.) On October 17, the Court granted a motion to adjourn all briefing deadlines pending further action by the Arkansas District Court and ordered the parties to submit a joint status update no later than February 18, 2020. (Doc. 6.) The parties did so, (Doc. 7), but failed to comply with the Court's subsequent orders requesting status updates by May 18 and July 13, (Docs. 8-9). On August 7, the Court ordered Appellant to provide a status update by August 14 or the appeal would be dismissed for failure to prosecute. (Doc. 10.) Appellant did so, (Doc. 11), and the Court ordered the parties to submit a joint status update by October 13, warning them that having twice failed to comply with the Court's orders, further failure to comply may result in sanctions, including dismissal of the appeal, (Doc. 12).

October 13 has passed, and the parties have failed – now for the third time – to comply with the Court's order to provide a status update. If the Court does not hear from Appellant by

ORDER

No. 19-CV-6744 (CS)

tomorrow, October 20, the Court will dismiss the appeal for failure to prosecute without further notice.

SO ORDERED.

Dated: October 19, 2020
White Plains, New York

A handwritten signature in black ink, reading "Cathy Seibel", is positioned above a horizontal line.

CATHY SEIBEL, U.S.D.J.